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PROCUREMENT OFFICE
STATE OF HAWAII

STATE PROCUREMENT OFFICE NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

1. TO: Chief Procurement Officer
2. FROM: Department of Land & Natural Resources-Division of Aquatic Resources

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:

Fuel for Hawaiian Islands Humpback Whale Sanctuary vessels to conduct emergency response and assessment operations on Maui during whale season. Procurement is for \$8,000 of 93-octane unleaded gasoline fuel for the federal (NOAA) vessel HIHIMANU for the period of Dec 1 2010 - July 1 2011. The vessel requires 93-octane fuel to maintain the engine's manufacturer's warranty. The vessel is the main rescue response vessel for NOAA's Hawaiian Islands Humpback Whale National Marine Sanctuary. Average sea day cost is \$200 x 40 anticipated seadays = \$8,000.

4. Name of Vendor: Mid Pac Petroleum
Address: 677 Ala Moana Blvd Suite 635
Honolulu, HI 96813

5. Price:
\$8,000

6. Term of Contract: From: 1/21/11 To: 1/20/12

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: Fueling at any gas station on Maui is not practical for the Sanctuary vessel because the primary vessel operators are federal employees and have no state purchase card to buy the gas. It is also not practicable because the vessel is kept in the water at Ma'alaea harbor and is not able to be pulled out and taken to a select gas station. The Ma'alaea 76 (15 Kapoli St Wailuku HI 96793) station is the only 24/7 fuel station supplying the harbor and as such the only station available to fuel the vessel. The Sanctuary is co-managed between the State and Federal government. All fuel purchases will be made using 100% federal funds under the contract between DLNR-Division of Aquatic Resources (DAR) and NOAA.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

The vendor will be chosen based on location and the reasons stated above.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

The Sanctuary operations coordinator (or planner/policy analyst until the position is filled) will be overseeing the fueling purchases. A PO will be established with Mid Pac Petroleum to purchase fuel. The PO will be approved by the DAR Program Manager and the Fiscal Office.

Invoices will be submitted to the Fiscal Office for payment with all necessary approvals and accurate records will be maintained of all fuel expenditures.


REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:			
Name	Position	Involvement in Process	
Lisa White	Planner and Policy Analyst	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Robert Nishimoto	Program Manager	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Brian Kanenaka	Aquatic Biologist	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Juliet Kazanjian	Fiscal Management Officer	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Dennis Takahashi	Accountant V	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:	Department: DLNR/DAR Contact Name: Lisa White Phone Number: 808-832-5020 Fax Number: 808-832-5018
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


1/21/11
 Department Head Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>1/24/2011</u>	
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <div style="margin-left: 150px;"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </div>	
Chief Procurement Officer's comments:	

16. ☒ **APPROVED** ☐ **DISAPPROVED** ☐ **NO ACTION REQUIRED**


5/4/2011
 Chief Procurement Officer Date